

PCT

To:

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WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY  
(PCT Rule 43bis.1)

Date of mailing  
(day/month/year) see form PCT/ISA/210 (second sheet)

Applicant's or agent's file reference  
see form PCT/ISA/220

**FOR FURTHER ACTION**  
See paragraph 2 below

International application No.  
PCT/JP2005/021307

International filing date (day/month/year)  
11.11.2005

Priority date (day/month/year)  
12.11.2004

International Patent Classification (IPC) or both national classification and IPC  
G03G15/08

Applicant  
CANON KABUSHIKI KAISHA

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☒ Box No. VIII Certain observations on the international application

2. **FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will usually be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA"). However, this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of three months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA:



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WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY

10/582898  
International application No.  
PCT/JP2005/021307

IAP20 Rec'd PCT/PTO 13 JUN 2006

Box No. I Basis of the opinion

1. With regard to the **language**, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
  - ☐ This opinion has been established on the basis of a translation from the original language into the following language , which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).
2. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
  - a. type of material:
    - ☐ a sequence listing
    - ☐ table(s) related to the sequence listing
  - b. format of material:
    - ☐ in written format
    - ☐ in computer readable form
  - c. time of filing/furnishing:
    - ☐ contained in the international application as filed.
    - ☐ filed together with the international application in computer readable form.
    - ☐ furnished subsequently to this Authority for the purposes of search.
3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

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**Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**

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1. Statement

Novelty (N)	Yes: Claims	4-7,11-14
	No: Claims	1-3,8-10
Inventive step (IS)	Yes: Claims	
	No: Claims	4-7,11-14
Industrial applicability (IA)	Yes: Claims	1-14
	No: Claims	

2. Citations and explanations

**see separate sheet**

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**Box No. VIII Certain observations on the international application**

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The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:

**see separate sheet**

Re Item V.

1 Reference is made to the following documents:

- D1 : EP 0 905 577 A (CANON KABUSHIKI KAISHA) 31 March 1999 (1999-03-31)  
D2 : PATENT ABSTRACTS OF JAPAN vol. 018, no. 081 (P-1690), 9  
February 1994 (1994-02-09) -&; JP 05 289515 A (KONICA CORP), 5 November  
1993 (1993-11-05)  
D3: PATENT ABSTRACTS OF JAPAN vol. 2000, no. 12, 3 January 2001 (2001-01-  
03) -& JP 2000 259061 A (RICOH CO LTD), 22 September 2000 (2000-09-22)

2 INDEPENDENT CLAIM 1

- 2.1 The present application does not meet the criteria of Article 33(1) PCT, because the subject-matter of claim 1, inasfar as can be understood, is not new in the sense of Article 33(2) PCT.

Document D1 discloses (the references in parentheses applying to this document):  
a developer supply container (Fig.4a) having an accomodating portion (11), a discharge opening (11a), a stirring member (Fig.19,ref.25, par.[86])and stirring drive receiving portion on one side (Fig.19, ref.26), a shutter (Fig.4a, ref.16) and drive therefore and engaging portions (Fig.19, ref.15, par.[82,88,89]).

- 2.2 The present application does not meet the criteria of Article 33(1) PCT, because the subject-matter of claim 1 is not inventive in the sense of Article 33(3) PCT.

Document D2 discloses (the references in parentheses applying to this document):  
a developer supply container (Fig.2) having an accomodating portion, a discharge opening (55), a stirring member (Fig.2,ref.52,56) and stirring drive receiving portion on one side (57 and above), a shutter (44) and drive (50,53) therefore and engaging portions (Fig.s 2 and 3, implicit).

The document does not describe a shutter drive system for the discharge opening, but for the toner replenishing opening; to the skilled man, it is, however, immediately clear that the system can be applied to the discharge opening in a straightforward way without the use of any inventive skill.

**3 INDEPENDENT CLAIM 8**

- 3.1 The present application does not meet the criteria of Article 33(1) PCT, because the subject-matter of claim 8 is not new in the sense of Article 33(2) PCT.

Document D1 (Fig.s 4a and 21) discloses (the references in parentheses applying to this document):

an image forming station (Fig.20), mounting portion (par.[93]), developer receiving portion (par.[76]), stirring drive transmitting portion (par.[86]), opening and closing drive transmitting/relay portion (par.[82]), locking portions (par.[89]).

**4 DEPENDENT CLAIMS 2-7, 9-14**

Dependent claims 2-7, 9-14 do not contain any features which, in combination with the features of any claim to which they refer, meet the requirements of the PCT in respect of novelty and/or inventive step (Article 33(2) and (3) PCT).

Document D3, e.g. discloses a lever for opening/closing a shutter connected with

d  
r  
i  
v  
i  
n  
g  
g  
e  
a  
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s  
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**Re Item VIII.**

- 5 The application does not meet the requirements of Article 6 PCT, because claims 1-3 and 8 and 10 are not clear.
- 5.1 As explained below, some of the features in the apparatus claim 1 relate to a method of using the apparatus rather than clearly defining the apparatus in terms of its technical features. The intended limitations are therefore not clear from this claim, contrary to the requirements of Article 6 PCT.  
In particular the section starting with 'wherein by mounting' and 'mounting direction' refers to steps of a method rather than technical features.
- 5.2 Independent claim 8 is unclear in that it claims features of the supply container, the opening and closing drive transmitting portion, it is thus not clear whether the apparatus in combination with the container or separate from it is claimed.
- 5.3 Independent claims 1 and 8 further lack clarity in that the mounting direction against a force leaves the reader in doubt as to what is meant, which protection is sought. It is not clear which direction the force has.
- 5.4 Furthermore, reference to the main assembly to describe the supply container, e.g. engagement with locking portion provided in the main assembly is misleading.
- 5.5 Claim 2 is not clear in that said opening and closing has no meaning.
- 5.6 The term 'approach to' used in claims 3 and 10 is vague and unclear and leaves the reader in doubt as to the meaning of the technical feature to which it refers, thereby rendering the definition of the subject-matter of said claims unclear, Article 6 PCT.